

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA	)	<b>DOCKET NO. 3:19CR35-KDB</b>
	)	
v.	)	<b>MOTION TO ALLOW ACCESS</b>
	)	<b>TO SEALED DOCUMENTS</b>
ROBERT McCOY, JR.	)	

NOW COMES Defendant ROBERT McCOY, JR., by and through undersigned counsel, and hereby respectfully moves this Honorable Court to provide the parties access to four documents filed under seal in the civil case which gave rise to this criminal contempt matter.

Part of the criminal contempt case against McCoy is that he willfully failed to produce financial statements and other financial information ordered by the Court. The attorney representing McCoy in the civil matter, in response to court orders requiring such disclosures, filed four separate documents under seal. Because those documents are under seal, counsel for the parties in this matter do not have access to those documents.

In order to properly litigate the issue of whether McCoy willfully disobeyed this Honorable Court's order to produce such information, it is necessary to review the information and documents that were filed by McCoy's civil attorney with the court.

The documents in question were filed in Case No. 3:18CV630 as follows:

Document 47 filed on 10/20/19;

Document 58 filed on 11/26/19;

Document 67 filed on 12/16/19;

Document 70 filed on 12/18/19.

The government has been advised of this motion. The government, through assigned Assistant U.S. Attorney Mark Odulio, indicates it does not oppose this motion.

Therefore, Defendant respectfully requests this Honorable Court to provide the parties with access to the sealed documents specified above.

Respectfully submitted,

February 28, 2020

s/ Mark P. Foster, Jr.  
NC State Bar #22717  
Attorney for Defendant  
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## **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above **MOTION TO ALLOW ACCESS TO SEALED DOCUMENTS** has been duly served on the attorney listed below by e-mail service through ECF on this date:

Mark Odulio  
U.S. Attorney's Office  
227 W. Trade Street, 17<sup>th</sup> Floor  
Charlotte, NC 28202

February 28, 2020

s/ Mark P. Foster, Jr.  
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